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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

04 CV 5349 (ARR)

HARRIET THOMPSON

Plaintiff,

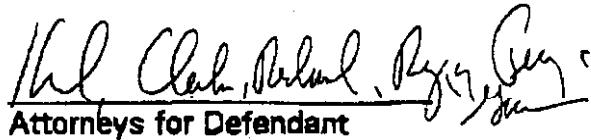
-against-

PATHMARK STORES INC.

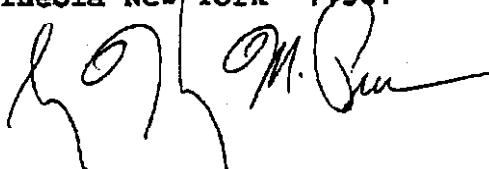
Index #:
CV 5349 (ARR)STIPULATION.
DISCONTINUING ACTION
WITH PREJUDICEDefendant.

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant, incompetent person whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued with prejudice without costs to either party as against the other due to settlement of this matter. This stipulation may be filed without further notice with the Clerk of the Court.

Dated:


Attorneys for Defendant

Kral Clarkin Redmond Ryan
Perry & Girvan LLP
69 East Jericho Turnpike
Mineola New York 11501



Attorneys for Plaintiff


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1500 Hylan Boulevard
Staten Island, NY 10305
(718) 667-8600

So Ordered

8/1/05

8/3/05